

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
)	
v.)	NO.: 3:12-CR-60
)	
RICHARD R. BAUMGARTNER)	

ORDER

This criminal matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated August 30, 2012. In that Report and Recommendation, the Magistrate Judge noted “that evidence gained in violation of the Fourth Amendment may be used to impeach the Defendant’s testimony.” [Doc. 56, Pg. 7]. Further, the Magistrate Judge also finds “that the Government has agreed that it will only use the GPS data, the photograph of the Defendant’s car, and the Defendant’s medical records and medical data at issue in these motions to impeach the Defendant’s testimony, if otherwise appropriate.” [Doc. 56, Pg. 7]. As such the Magistrate Judge recommends that the defendant’s suppression motions, [Docs. 30, 31, and 32], be denied as moot. [Doc. 56, Pg. 7]. No objection to the Magistrate Judge’s Report and Recommendation has been filed.

After careful consideration of the record as a whole, and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and Recommendation which are incorporated by reference herein, it is hereby **ORDERED** that this Report and Recommendation is

ADOPTED and **APPROVED**, [Doc. 56], and that the motions to suppress, [Docs. 30, 31, and 32], be **DENIED AS MOOT**.

E N T E R:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE